

Budget notifies the President and the Congress that any requirement under subsection (b) is not met, no agency may hire any employee for any position in such agency until the Office of Management and Budget notifies the President and the Congress that the total number of full-time equivalent positions for all agencies equals or is less than the applicable number required under subsection (b).

(e) WAIVER.—

(1) EMERGENCIES.—Any provision of this section may be waived upon a determination by the President that—

(A) the existence of a state of war or other national security concern so requires; or

(B) the existence of an extraordinary emergency threatening life, health, safety, property, or the environment so requires.

(2) AGENCY EFFICIENCY OR CRITICAL MISSION.—

(A) Subsection (d) may be waived, in the case of a particular position or category of positions in an agency, upon a determination of the President that the efficiency of the agency or the performance of a critical agency mission so requires.

(B) Whenever the President grants a waiver pursuant to subparagraph (A), the President shall take all necessary actions to ensure that the overall limitations set forth in subsection (b) are not exceeded.

(f) EMPLOYMENT BACKFILL PREVENTION.—

(1) IN GENERAL.—The total number of funded employee positions in all agencies (excluding the Department of Defense and the Central Intelligence Agency) shall be reduced by one position for each vacancy created by the separation of any employee who has received, or is due to receive, a voluntary separation incentive payment under section 2 (a)–(e). For purposes of this subsection, positions and vacancies shall be counted on a full-time-equivalent basis.

(2) RELATED RESTRICTION.—No funds budgeted for and appropriated by any Act for salaries or expenses of positions eliminated under this subsection may be used for any purpose other than authorized separation costs.

The bill, as amended, was ordered to be engrossed and read a third time, was read a third time by title.

The question being put, viva voce,

Will the House pass said bill?

The SPEAKER pro tempore, Mr. SKAGGS, announced that the yeas had it.

Mr. MYERS demanded that the vote be taken by the yeas and nays, which demand was supported by one-fifth of the Members present, so the yeas and nays were ordered.

The vote was taken by electronic device.

It was decided in the affirmative { Yeas ..... 391  
Nays ..... 17

9.23 [Roll No. 25]

YEAS—391

Abercrombie  
Ackerman  
Allard  
Andrews (ME)  
Andrews (NJ)  
Applegate  
Bacchus (FL)  
Bachus (AL)  
Baesler  
Baker (CA)  
Baker (LA)  
Ballenger  
Barca  
Barcia  
Barlow  
Barrett (NE)  
Barrett (WI)

Bartlett  
Bateman  
Becerra  
Beilenson  
Bentley  
Bereuter  
Berman  
Bevill  
Billbray  
Bishop  
Blackwell  
Bliley  
Blute  
Boehlert  
Bonilla  
Bonior  
Borski

Boucher  
Brewster  
Browder  
Brown (CA)  
Brown (FL)  
Brown (OH)  
Bryant  
Bunning  
Burton  
Buyer  
Byrne  
Callahan  
Calvert  
Cantwell  
Cardin  
Carr  
Castle  
Chapman  
Clay  
Clayton  
Clement  
Clinger  
Clyburn  
Coble  
Collins (GA)  
Collins (IL)  
Collins (MI)  
Combest  
Condit  
Conyers  
Cooper  
Coppersmith  
Costello  
Cox  
Coyne  
Cramer  
Crapo  
Cunningham  
Danner  
Darden  
Deal  
DeFazio  
DeLauro  
Dellums  
Derrick  
Deutsch  
Diaz-Balart  
Dickey  
Dicks  
Dixon  
Dooley  
Doolittle  
Dornan  
Dreier  
Dunn  
Durbin  
Edwards (CA)  
Edwards (TX)  
Emerson  
Engel  
English  
Eshoo  
Evans  
Everett  
Farr  
Fawell  
Fazio  
Fields (LA)  
Filner  
Fingerhut  
Fish  
Flake  
Foglietta  
Ford (MI)  
Ford (TN)  
Fowler  
Frank (MA)  
Franks (CT)  
Franks (NJ)  
Frost  
Furse  
Gallegly  
Gallo  
Gejdenson  
Gekas  
Gephardt  
Gibbons  
Gilchrist  
Gillmor  
Gilman  
Gingrich  
Glickman  
Gonzalez  
Goodlatte  
Goodling  
Gordon  
Goss  
Grams  
Grandy  
Green  
Greenwood  
Gunderson  
Gutierrez  
Hall (TX)  
Hamburg  
Hamilton  
Hansen  
Harman  
Hayes  
Hefley  
Hefner  
Herger  
Hilliard  
Hinchey  
Hoagland  
Hobson

Hochbrueckner  
Hoekstra  
Hoke  
Holden  
Horn  
Houghton  
Hoyer  
Huffington  
Hughes  
Hunter  
Hutchinson  
Hutto  
Hyde  
Inglis  
Inhofe  
Inslee  
Istook  
Jacobs  
Jefferson  
Johnson (CT)  
Johnson (GA)  
Johnson (SD)  
Johnson, E. B.  
Johnston  
Kanjorski  
Kaptur  
Kennedy  
Kennelly  
Kildee  
Kim  
King  
Kingston  
Klecza  
Klein  
Klink  
Klug  
Knollenberg  
Kolbe  
Kopetski  
Kreidler  
Kyl  
LaFalce  
Lambert  
Lancaster  
Lantos  
LaRocco  
Lazio  
Leach  
Lehman  
Levin  
Levy  
Lewis (CA)  
Lewis (GA)  
Lightfoot  
Linder  
Lipinski  
Livingston  
Lloyd  
Long  
Lowey  
Maloney  
Mann  
Manton  
Manzullo  
Margolies-  
Mezvinsky  
Markey  
Martinez  
Matsui  
Mazzoli  
McCandless  
McCloskey  
McCollum  
McCrery  
McCurdy  
McDade  
McDermott  
McHale  
McHugh  
McInnis  
McKeon  
McKinney  
McMillan  
McNulty  
Meehan  
Meek  
Menendez  
Meyers  
Mfume  
Mica  
Miller (CA)  
Miller (FL)  
Mineta  
Minge  
Mink  
Moakley  
Molinari  
Mollohan  
Montgomery  
Moorhead

Moran  
Morella  
Murphy  
Murtha  
Myers  
Nadler  
Natcher  
Neal (MA)  
Nussle  
Oberstar  
Obey  
Olver  
Orton  
Oxley  
Packard  
Pallone  
Parker  
Pastor  
Paxon  
Payne (NJ)  
Payne (VA)  
Pelosi  
Penny  
Peterson (FL)  
Peterson (MN)  
Petri  
Pickett  
Pickle  
Pombo  
Pomeroy  
Portman  
Poshard  
Price (NC)  
Pryce (OH)  
Quillen  
Quinn  
Rahall  
Ramstad  
Rangel  
Ravenel  
Reed  
Regula  
Reynolds  
Richardson  
Roberts  
Roemer  
Rohrabacher  
Ros-Lehtinen  
Rose  
Rostenkowski  
Roukema  
Rowland  
Roybal-Allard  
Royce  
Rush  
Sabo  
Sanders  
Sangmeister  
Santorum  
Sarpalius  
Sawyer  
Saxton  
Schaefer  
Schenk  
Schiff  
Schroeder  
Schumer  
Scott  
Serrano  
Sharp  
Shaw  
Shays  
Shepherd  
Shuster  
Sisisky  
Skaggs  
Skeen  
Skelton  
Slaughter  
Smith (IA)  
Smith (NJ)  
Smith (OR)  
Smith (TX)  
Snowe  
Solomon  
Spence  
Spratt  
Stark  
Stearns  
Stenholm  
Stokes  
Strickland  
Studds  
Stupak  
Sundquist  
Swett  
Swift  
Synar  
Talent  
Tanner

Tauzin  
Taylor (MS)  
Taylor (NC)  
Tejeda  
Thomas (CA)  
Thomas (WY)  
Thompson  
Thornton  
Thurman  
Torkildsen  
Torres  
Torricelli  
Traficant  
Tucker  
Unsoeld  
Upton  
Valentine  
Velazquez  
Vento  
Visclosky  
Volkmer  
Vucanovich  
Walker  
Walsh  
Waters  
Watt  
Waxman  
Weldon  
Wheat  
Whitten  
Williams  
Wilson  
Wise  
Wolf  
Woolsey  
Wyden  
Wynn  
Yates  
Young (FL)  
Zeliff  
Zimmer

NAYS—17

Archer  
Armey  
Barton  
Camp  
Canady  
Crane  
DeLay  
Duncan  
Ehlers  
Hancock  
Johnson, Sam  
Kasich  
Porter  
Rogers  
Sensenbrenner  
Smith (MI)  
Stump

NOT VOTING—25

Andrews (TX)  
Billirakis  
Boehner  
Brooks  
Coleman  
de la Garza  
Dingell  
Ewing  
Fields (TX)  
Hall (OH)  
Hastert  
Hastings  
Laughlin  
Lewis (FL)  
Machtley  
Michel  
Neal (NC)  
Ortiz  
Owens  
Ridge  
Roth  
Slattery  
Towns  
Washington  
Young (AK)

So the bill was passed.

A motion to reconsider the vote whereby said bill was passed was, by unanimous consent, laid on the table.

By unanimous consent, the title was amended so as to read: "An Act to provide temporary authority to Government agencies relating to voluntary separation incentive payments, and for other purposes."

Ordered, That the Clerk request the concurrence of the Senate in said bill.

9.24 ORDER OF BUSINESS—CONFERENCE  
ON H.R. 3759

On motion of Mr. GEPHARDT, by unanimous consent,

Ordered, That, if and when the Clerk receives a message from the Senate indicating that that body has passed the bill (H.R. 3759) making emergency supplemental appropriations for the fiscal year ending September 30, 1994, and for other purposes, with amendments, insisted on said amendments and requested a conference with the House, the House be deemed to have disagreed to the amendments of the Senate and agreed to the conference asked by the Senate, and that the Speaker be deemed to have appointed conferees.

9.25 MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Edwin Thomas, one of his secretaries.

9.26 MOTION TO INSTRUCT CONFEREES—  
H.R. 3759

Mr. MCDADE submitted the privileged motion to instruct the managers on the part of the House at the conference with the Senate on the disagreeing votes of the two Houses on the bill (H.R. 3759) making emergency supplemental appropriations for the fiscal year ending September 30, 1994, and for other purposes, to agree to the D'Amato amendment numbered 1442, as modified, adopted by the Senate on vote number 36, as follows:

**SEC. . Extension of RTC Civil Statute of Limitations.**

"Section 21A(b)(14)(C) of the Federal Home Loan Bank Act (12 U.S.C. 1441a(b)(14)(C)) is amended by striking clause (i) and inserting in lieu thereof the following:

"(i) the period beginning on the date the claim accrues (as determined pursuant to section 11(d)(14)(B) of the Federal Deposit Insurance Act) and ending on December 31, 1995; or ending on the date of the termination of the corporation pursuant to section 21A(m)(1), whichever is later; or."

After debate,

By unanimous consent, the previous question was ordered on the motion to instruct the managers on the part of the House.

The question being put, *viva voce*,

Will the House agree to said motion?

The SPEAKER pro tempore, Mr. CHAPMAN, announced that the yeas had it.

Mr. SOLOMON demanded a recorded vote on agreeing to said motion, which demand was supported by one-fifth of a quorum, so a recorded vote was ordered.

The vote was taken by electronic device.

It was decided in the affirmative ..... Yeas ..... 390  
Nays ..... 1  
Answered present ..... 1

¶9.27

[Roll No. 26]

AYES—390

Abercrombie	Castle	Fish
Ackerman	Chapman	Flake
Allard	Clayton	Ford (MI)
Andrews (ME)	Clement	Ford (TN)
Andrews (NJ)	Clinger	Fowler
Applegate	Clyburn	Frank (MA)
Archer	Coble	Franks (CT)
Arney	Collins (GA)	Franks (NJ)
Bacchus (FL)	Collins (IL)	Frost
Bachus (AL)	Collins (MI)	Furse
Baessler	Combest	Galleghy
Baker (CA)	Condit	Gallo
Baker (LA)	Conyers	Gekas
Ballenger	Cooper	Gephardt
Barca	Coppersmith	Geren
Barcia	Costello	Gilchrest
Barlow	Cox	Gillmor
Barrett (NE)	Coyne	Gilman
Barrett (WI)	Cramer	Gingrich
Bartlett	Crane	Glickman
Barton	Crapo	Gonzalez
Bateman	Cunningham	Goodlatte
Becerra	Danner	Goodling
Beilenson	Darden	Gordon
Bentley	Deal	Goss
Bereuter	DeLauro	Grams
Berman	DeLay	Grandy
Bevill	Dellums	Green
Bilbray	Derrick	Greenwood
Bishop	Deutsch	Gunderson
Blackwell	Diaz-Balart	Gutierrez
Biley	Dickey	Hall (TX)
Blute	Dicks	Hamburg
Boehlert	Dixon	Hamilton
Bonilla	Dooley	Hancock
Bonior	Doolittle	Hansen
Borski	Dornan	Harman
Boucher	Dreier	Hayes
Brewster	Duncan	Hefley
Browder	Dunn	Hefner
Brown (CA)	Durbin	Herger
Brown (FL)	Edwards (CA)	Hilliard
Brown (OH)	Edwards (TX)	Hinchey
Bryant	Ehlers	Hoagland
Bunning	Emerson	Hobson
Burton	Engel	Hochbrueckner
Buyer	English	Hoekstra
Byrne	Eshoo	Hoke
Callahan	Evans	Holden
Calvert	Everett	Horn
Camp	Farr	Houghton
Canady	Fawell	Hoyer
Cantwell	Fazio	Huffington
Cardin	Fields (LA)	Hughes
Carr	Filner	Hunter

Hutchinson	Mica	Sensenbrenner
Inglis	Miller (CA)	Serrano
Inhofe	Miller (FL)	Sharp
Insee	Mineta	Shaw
Istook	Minge	Shays
Jefferson	Mink	Shepherd
Johnson (CT)	Moakley	Shuster
Johnson (GA)	Molinari	Sisisky
Johnson (SD)	Mollohan	Skaggs
Johnson, E. B.	Montgomery	Skeen
Johnson, Sam	Moorhead	Skelton
Johnston	Moran	Slaughter
Kanjorski	Morella	Smith (IA)
Kaptur	Myers	Smith (MI)
Kasich	Nadler	Smith (NJ)
Kennedy	Natcher	Smith (TX)
Kennelly	Neal (MA)	Snowe
Kildee	Neal (NC)	Solomon
Kim	Nussle	Spence
King	Oberstar	Spratt
Kingston	Obey	Stark
Klecza	Olver	Stearns
Klein	Oxley	Stenholm
Klink	Packard	Stokes
Klug	Pallone	Strickland
Knollenberg	Parker	Studds
Kolbe	Pastor	Stump
Kopetski	Paxon	Stupak
Kreidler	Payne (NJ)	Sundquist
Kyl	Payne (VA)	Swett
LaFalce	Pelosi	Swift
Lambert	Penny	Synar
Lancaster	Peterson (FL)	Talent
Lantos	Peterson (MN)	Tanner
LaRocco	Petri	Taylor (MS)
Lazio	Pickett	Taylor (NC)
Leach	Pickle	Tejeda
Lehman	Pombo	Thomas (CA)
Levin	Pomeroy	Thomas (WY)
Levy	Porter	Thompson
Lewis (CA)	Portman	Thornton
Lewis (GA)	Poshard	Thurman
Lightfoot	Price (NC)	Torkildsen
Linder	Pryce (OH)	Torres
Livingston	Quinn	Torrice
Lloyd	Rahall	Trafigant
Long	Ramstad	Tucker
Lowey	Rangel	Unsoeld
Maloney	Ravenel	Upton
Mann	Reed	Valentine
Manton	Regula	Velazquez
Manzullo	Reynolds	Vento
Margolies-	Roberts	Visclosky
Mezvinsky	Roemer	Volkmer
Markey	Rogers	Vucanovich
Martinez	Rohrabacher	Walker
Matsui	Ros-Lehtinen	Walsh
Mazzoli	Rostenkowski	Waters
McCandless	Roukema	Watt
McCloskey	Rowland	Waxman
McCollum	Roybal-Allard	Weldon
McCrery	Royce	Wheat
McCurdy	Rush	Whitten
McDade	Sabo	Williams
McDermott	Sanders	Wilson
McHale	Sangmeister	Wise
McHugh	Santorom	Wolf
McInnis	Sarpallius	Woolsey
McKeon	Sawyer	Wyden
McKinney	Saxton	Wynn
McNulty	Schaefer	Yates
Meehan	Schenk	Young (FL)
Meek	Schiff	Zeliff
Menendez	Schroeder	Zimmer
Meyers	Schumer	
Mfume	Scott	

NOES—1

Clay

ANSWERED "PRESENT"—1

Hyde

NOT VOTING—41

Andrews (TX)	Hall (OH)	Orton
Bilirakis	Hastert	Owens
Boehner	Hastings	Quillen
Brooks	Hutto	Richardson
Coleman	Jacobs	Ridge
de la Garza	Laughlin	Rose
DeFazio	Lewis (FL)	Roth
Dingell	Lipinski	Slaterry
Ewing	Machtley	Smith (OR)
Fields (TX)	McMillan	Tauzin
Fingerhut	Michel	Towns
Foglietta	Murphy	Washington
Gejdenson	Murtha	Young (AK)
Gibbons	Ortiz	

So the motion to instruct the managers on the part of the House was agreed to.

A motion to reconsider the vote whereby said motion was agreed to was, by unanimous consent, laid on the table.

¶9.28 APPOINTMENT OF CONFEREES—  
H.R. 3759

The SPEAKER pro tempore, Mr. CHAPMAN, by unanimous consent, appointed the following Members as managers on the part of the House to the conference with the Senate on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 3759) making emergency supplemental appropriations for the fiscal year ending September 30, 1994, and for other purposes: Messrs. NATCHER, SMITH of Iowa, YATES, OBEY, STOKES, BEVILL, MURTHA, DIXON, FAZIO, HEFNER, HOYER, CARR, DURBIN, MCDADE, MYERS, REGULA, LIVINGSTON, LEWIS of California, ROGERS, SKEEN, and PORTER.

*Ordered.* That the Clerk notify the Senate of the foregoing appointments.

¶9.29 ADJOURNMENT OF THE TWO HOUSES

Mr. GEPHARDT submitted the following privileged concurrent resolution (H. Con. Res. 206):

*Resolved by the House of Representatives (the Senate concurring).* That when the House adjourns on Thursday, February 10, 1994, Friday, February 11, 1994, Saturday, February 12, 1994, Sunday, February 13, 1994, Monday, February 14, 1994, Tuesday, February 15, 1994, Wednesday, February 16, 1994, Thursday, February 17, 1994, or Friday, February 18, 1994, pursuant to a motion made by the Majority Leader or his designee, it stand adjourned until 2 p.m. on Tuesday, February 22, 1994, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first; and that when the Senate recesses or adjourns at the close of business on Thursday, February 10, 1994, Friday, February 11, 1994, Saturday, February 12, 1994, Sunday, February 13, 1994, Monday, February 14, 1994, Tuesday, February 15, 1994, Wednesday, February 16, 1994, Thursday, February 17, 1994, or Friday, February 18, 1994, pursuant to a motion made by the Majority Leader or his designee, in accordance with this resolution, it stand recessed or adjourned until noon on Tuesday, February 12, 1994, or at such time as may be specified by the Majority Leader or his designee in the motion to recess or adjourn, or until noon on the second day after Members are notified to reassemble pursuant to section 2 of this concurrent resolution, whichever occurs first.

SEC. 2. The Speaker of the House and the Majority Leader of the Senate, acting jointly after consultation with the Minority Leader of the House and the Minority Leader of the Senate, shall notify the Members of the House and the Senate, respectively, to reassemble whenever, in their opinion, the public interest shall warrant it.

When said concurrent resolution was considered and agreed to.

A motion to reconsider the votes whereby said concurrent resolution was agreed to was, by unanimous consent, laid on the table.

*Ordered.* That the Clerk request the concurrence of the Senate in said concurrent resolution.